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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,558	03/29/2004	Efraim Atad	27613	1235
7590 Martin D. Moynihan PRTSI, Inc. P. O. Box 16446 Arlington, VA 22215		12/20/2007	EXAMINER RAY, AMIT K	
			ART UNIT 2623	PAPER NUMBER
			MAIL DATE 12/20/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/810,558

Applicant(s)

ATAD ET AL.

Examiner

Amit K. Ray

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____                                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____   | 6) <input type="checkbox"/> Other: ____                           |

**DETAILED ACTION**

**Claim Rejections - 35 USC § 102**

**1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action**

A person shall be entitled to a patent unless –

(e) the invention was described in-  
(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

**2. Claims 1-3, 5, 8-11, 13, 16-18, and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Mehravari, US 20030133413.**

Re. Claim 1, Mehravari discloses a TV receiver installation comprising:

(a) a satellite receiver for receiving a broadcast multi-channel feed from a satellite relay (Fig.4, satellite dish 518 receiving broadcast multi-channel feed from satellite relay 517 for user 510), and

(b) terrestrial antenna (Fig.4, antenna is labeled as 620), associated with said satellite receiver, for handling a return link over a terrestrial network ([0050], lines 3-12, disclosing two-way high-speed data service; [0033], lines 1-9,

Art Unit: 2623

disclosing wireless access point 150 (i.e. 550 in Fig.4) with antenna 620 with option for integration with satellite receiver 540 and other components, and providing a return link over terrestrial network via antenna 620; ([0004], lines 27-30, linking wireless access point to other networks including Internet); [0007], lines 1-28, disclosing high-speed wide-area terrestrial network services).

Re. Claim 2, the TV receiver installation of claim 1, wherein said terrestrial antenna is further operable to handle a forward link over said terrestrial network ([0059], lines 1-7) .

Re. Claim 3, the TV receiver installation of claim 1, wherein said satellite and said terrestrial receivers are each connected to a single connecting cable via a splitter combiner unit which is configured to combine satellite and terrestrial (network signals for sending together through said cable ([0025], lines 4-16, disclosing a splitter receiving and separating both television and high-speed data; [0061], lines 3-8, reciting the similarity of functions of switches 140 or 340 or 540)

Re. Claim 5, the TV receiver installation of claim 1, further adapted to comprise a node of said network (Fig.4, antenna 620 is a node).

Re. Claim 8, the TV receiver installation of claim 1, being a rooftop installation ([0059], lines 4-7).

Re. Claim 9, a TV receiver installation comprising:

(a) a terrestrial receiver (Fig.4, transceiver 610) for receiving a broadcast multi-channel terrestrial video feed, and

(b) a terrestrial antenna (Fig.4, antenna 620) associated with said terrestrial receiver, for handling a return link over a terrestrial network (Transceiver 610 is two-way).

Re. Claim 10, the TV receiver installation of claim 9, wherein said terrestrial antenna is further operable to handle a forward link over said terrestrial network ([0059], lines 4-7)

Claim 11, the TV receiver installation of claim 9, wherein said terrestrial antenna and said terrestrial receiver are each connected to a single connecting cable via a splitter combiner unit which is configured to combine video broadcast and terrestrial network signals for sending together through said cable, is rejected on the same grounds as Claim 3.

Claim 13, the TV receiver installation of claim 9, further adapted to comprise a node of said network, is rejected on the same grounds as Claim 5.

Claim 16, the TV receiver installation of claim 9, being a rooftop installation, is rejected on the same grounds as Claim 8.

Re. Claim 17, Mehravari discloses a method of modifying an existing user satellite TV receiver installation including a satellite receiver dish and a single cable connection for reaching a set top box at a user's premises ([0057], lines 1-5), the method comprising:

(a) affixing a terrestrial antenna suitable for broadcasting terrestrial wireless WAN signals ([0009], lines 1-15),

Art Unit: 2623

(b) connecting a splitter combiner unit to said satellite receiver dish, said terrestrial antenna and said single cable connection, to combine incoming signals from said satellite receiver dish and said terrestrial antenna onto said single antenna and to split outgoing signals and direct them to said terrestrial (same as Claim 1(b) and Claim 3 combined).

Claim 18, the method of claim 17, further comprising connecting WAN support electronics at a far end of said single cable connection for allowing said terrestrial antenna to function as a WAN node, is rejected on the same grounds as Claim 17(a).

Re. Claim 22, the method of claim 18, comprising connecting a residential gateway at a far end of said single cable, said residential gateway comprising interfaces for at least one of a set top box ([0057], lines 1-5), a voice over IP device, an Internet device ([0057], lines 5-10) and a local area network ([0060], lines 1-7) , thereby to allow devices connected to said interfaces or said LAN to be able to receive and send signals via said modified receiver.

Re. Claim 23, the method of claim 18, further comprising connecting an Ethernet port at a far end of said single cable ([0030], lines 1-7), said Ethernet port being able to support a plurality of communication devices to send and receive signals via said modified receiver ([0035], lines 8-14).

Claim 24, the method of claim 17, further comprising using Ethernet as a communication medium over said single cable, is rejected on the same grounds as Claim 23.

**Claim Rejections - 35 USC § 103**

**3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**4. Claims 6-7, 14-15, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mehravari in view of Kalika et al, US 20070054670.**

Re. Claim 6, Mehravari discloses the TV receiver installation of claim 1.

Mehravari does not teach the TV receiver installation to be further adapted to be a micro base station for a local hot spot.

In an analogous art, Kalika teaches a wireless base station for covering a small area for a local hot spot to be used for the TV receiver installation ([0111], lines 1-17, reciting wireless base station; [0115], lines 1-18, reciting many base stations with various functionalities; [0056], lines 1-10, showing ability of defining hot spots to suit local area network requirements).

Art Unit: 2623

Therefore, it would have been obvious to one with ordinary skill in the art to modify Mehravari to include micro base station for a local hot spot for the TV receiver installation, as taught by Kalika, for the benefit of all users covered by the local area network to receive TV programs from the same TV receiver installation.

Re. Claim 7, Mehravari teaches the TV receiver installation of claim 6, wherein said local hot spot conforms substantially to the IEEE 802.11 standard ([0064], lines 27-32).

Claim 14, the TV receiver installation of claim 9, further adapted to be a micro base station for a local hot spot, is rejected on the same grounds as Claim 6.

Claim 15, the TV receiver installation of claim 14, wherein said local hot spot conforms substantially to the IEEE 802.11 standard, is rejected on the same grounds as Claim 7.

Claim 20, the method of claim 17, further comprising connecting hotspot support electronics at a far end of said single cable for allowing said terrestrial antenna to function as a micro base station for a wireless hotspot, is rejected on the same grounds as Claim 6.

Claim 21, the method of claim 20, wherein said hotspot support electronics is sufficient for supporting the IEEE 802.11 standard, is rejected on the same grounds as Claim 7.



**5. Claims 4,12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mehravari in view of Reisman, US 20040031058.**

Re. Claim 4, Mehravari teaches the TV receiver installation of claim 1 comprising a terrestrial antenna and return and forward links. He does not teach the TV receiver installation wherein said terrestrial antenna and said return and forward links are adapted for the IEEE 802.16 standard or the IEEE 802.20 standard.

In an analogous art, Reisman teaches a transmission protocol referring to any form of “communication” or “transport”, including connections to directly attached devices, local area networks (LANs), and wide area networks (WANs), which are adapted to IEEE 802.16 standard ([0085], lines 1-20).

Therefore, it would be obvious to one with ordinary skill in the art to modify Mehravari with Reisman to include IEEE 802.16 standard, as taught by Reisman, for the benefit of having antenna and LANs and WANs, which would be compatible with various communication devices and networks in the system.


Claim 12, the TV receiver installation of claim 9, wherein said terrestrial receiver and said return and forward links are adapted for the IEEE 802.16 standard or the IEEE 802.20 standard, is rejected on the same grounds as Claim 4.

Claim 19, the method of claim 18, wherein said WAN support electronics is sufficient for supporting one of the IEEE 802.16 standard and the IEEE 802.20 standard, is rejected on the same grounds as Claim 4.

### **CONTACT**

4. Any enquiry concerning this communication from the examiner should be directed to Amit Ray whose telephone number is 571-272-6339. The examiner can normally be reached on Monday-Friday, alternate Friday off, 7:30 AM –5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Statute information for published applications may be obtained from either PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://paired.uspto.gov>. Should you have questions on accessing the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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